

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

HAMIR DAMRA, et al.)	CASE NO.: 1:00 CV 2009
)	
Plaintiffs)	JUDGE LESLEY WELLS
)	
vs.)	
)	
LT. OFFICER KIM CORNACHIO, et al.)	<u>MOTION FOR EXTENSION OF</u>
)	<u>TIME TO DISCLOSE EXPERT</u>
Defendants)	<u>TESTIMONY INSTANTER</u>
)	

Defendants Lt. Kim Cornachio and City of Parma now move this Honorable Court for permission to identify its expert and disclose the expert's testimony and report. A copy of the expert's report is attached as Exhibit "A". The reasons for this motion are set forth in the attached memorandum.

Respectfully submitted,

s/Timothy G. Dobeck
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ATTORNEYS FOR DEFENDANTS

MEMORANDUM

On February 20, 2001, the court filed its case management order in the case at bar. The order set a final pretrial conference on April 4 and trial on May 6, 2002.

Defendants Lt. Cornachio and the City of Parma initially believed that expert reports were due at the time of the final pretrial, April 4, 2002. See Exhibit "B". Only recently, in preparation of witness and exhibit lists, did counsel for Defendants notice that expert reports were not assigned specific dates, but were to be produced according to Federal Rule of Civil Procedure 26(a)(2). In other words, ninety (90) days before trial.

Defendants did not intentionally delay obtaining or disclosing their report. Trial of this matter is May 6, 2002, some six weeks away. Plaintiff will have adequate time to depose Parma's expert within that time frame. Plaintiffs, therefore, will suffer no prejudice to their case.

For the foregoing reasons, Defendants Lt. Kim Cornachio and City of Parma request an order from this Court permitting disclosure of Defendants' expert testimony instanter.

Respectfully submitted,

s/Timothy G. Dobeck

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